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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/797,323	03/09/2004	Hirofaka Matsumura	82478-5600	4275
21611 7590 03/17/2008 SNELL & WILMER LLP (OC) 600 ANTON BOULEVARD SUITE 1400 COSTA MESA, CA 92626				
EXAMINER				
TAKLE, MESEKER				
ART UNIT		PAPER NUMBER		
2174				
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/797,323

Applicant(s)

MATSUMURA ET AL.

Examiner

MESEKER TAKELE

Art Unit

2174

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-3 and 6-10 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-3 and 6-10 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-8508)
Paper No(s)/Mail Date 02/13/2008
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Inventor's Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the RCE and Amendment filed 02/08/2008.
2. Claims 1-3 and 6-10, are pending in this application. Claims 1 and 3 are independent claims. In the instant Amendment, claims 1-3 and 6-10 were amended, and claims 4-5 and 11-13 were cancelled. This action is made Non-Final.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 103

4. Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over Osuga Hideo (JP Pub. No.: 2002-007887) in view of Fushimi et al. (US Pub No.: 20040148232).
5. As to claim 1, Osuga discloses an inquiry processing apparatus comprising:
 - a first providing unit configured to provide hierarchically arranged web pages to a browser terminal via a network, the web pages including an inquiry page for entering an inquiry and content pages (paragraph [0001], [0009] - [0018], claim 1 and 2) .
 - a recording unit configured to record therein a history of the provision of content pages to the browser terminal, the history including provided-page information indicating content pages having been provided to the browser terminal and provided-level information indicating a hierarchical level of each of the provided content pages (paragraph [0009] - [0019], claim 1 and 2).
 - a receiving unit configured to receive an inquiry entered into the inquiry page via the browser terminal (paragraph [0001] and [0010]).

a judging unit configured to judge when the inquiry is received, whether any content page of a lowest hierarchical level has been provided to the browser terminal, based on the provided-page information and the provided-level information included in the history of the provision of content pages (paragraph [0010], [0023] and [0025]).

a second providing unit configured to provide a page containing the received inquiry and a result of the judgment to a responder terminal used by a responder for responding to the inquiry, the responder terminal being different from the browser terminal (paragraph [0008], [0010], [0022] – [0026] and [0098]).

However Osuga does not explicitly disclose a judging unit configured to judge, Fushimi from the same field of endeavor disclose a judging unit configured to judge, (example, such as, Upon receiving the catalog data, the catalog aggregator 3 judges the catalog provider who provided this catalog data (step S107), judging whether selected product catalog can be provided or not, see paragraph [0115] and Figure 12 (element S189))

It would have been obvious to one ordinary skill in the art to have modified Osuga's processing inquiry at the time of the invention was made with judging as presented by Fushimi.

The motivation to combine to provide an electronic catalog aggregation apparatus capable of providing credit information of trade participants including a product provider and a product purchaser in relation to the catalog information such that a creditability of each trade participant can be judged efficiently and quickly, so as to realize a safe electronic commerce system.

As to claim 2, Osuga discloses the inquiry processing apparatus further comprising: a checking unit configured to check, each time a content page is provided to the browser terminal content page is of the lowest hierarchical level, wherein the recording unit is configured to record a result of the checking as the history (paragraph [0001]- [0010]).

Claim 3 is similar in scope to claim 1, and is therefore rejected under similar rationale. However Osuga does not disclose electronic catalog. Fushimi from the same field of endeavor disclose electronic catalog (example, such as electronic catalog aggregation apparatus, see abstract).

It would have been obvious to one ordinary skill in the art to have modified Hirayama's processing inquiry at the time of the invention was made with electronic catalog aggregation apparatus as presented by Fushimi.

The motivation to combine to provide an electronic catalog aggregation apparatus capable of eliminating the catalog extraction, editing and delivery operations required for the catalog provider with respect to each catalog user and the catalog receiving and accounting operations required for the catalog user with respect to each catalog provider, so as to realize a fast and efficient electronic catalog system.

As to claim 6, Fushimi discloses wherein the judging unit is configured to provide a negative judgment if no content page of the lowest hierarchical level has been provided to the browser terminal (such as, negative judgment such as whether the catalog provider

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or the catalog user satisfies an examination condition or not is judged, examination (OK/NG), see paragraph [0112] and Figure 5(element S47)).

As to claim 7, Fushimi discloses wherein the judging unit is configured to provide a positive judgment if at least one content page of the lowest hierarchical level has been provided to the browser terminal (such as, positive judgment such as whether the catalog provider or the catalog user satisfies an examination condition or not is judged, examination (OK/NG), see paragraph [0112] and Figure 5(element S47)).

As to claim 8, Osuga discloses wherein the responder terminal is configured to display the result of the judgment (paragraph [0010], [0030] and [0038]).

As to claim 9, Osuga discloses further comprising a database configured to store the result of the judgment (paragraph [0009], [0017] and [0018]).

As to claim 10, Osuga discloses wherein the responder terminal is configured to display the history of the provision of content pages to the browser terminal (paragraph [0038] – [0049] and [0065]).

Response to Arguments

6. Applicant's arguments with respect to the amended claims have been considered but are moot in view of the new ground(s) of rejection.

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MESEKER TAKELE whose telephone number is (571)270-1653. The examiner can normally be reached on Monday - Friday 7:30AM-5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. T./

Examiner, Art Unit 2174

/David A Wiley/

Supervisory Patent Examiner, Art Unit 2174

